

FILED

JUL 25 2014

N.J. BOARD OF NURSING

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR  
REVOCATION OF THE CERTIFICATE OF

ADMINISTRATIVE ACTION

FINAL ORDER OF DISCIPLINE

CLAUS KANKAM, C.H.H.A.  
Certificate No. 26NH11300900

HOMEMAKER HOME HEALTH AIDE  
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Claus Kankam ("Respondent") is the holder of certificate number 26NH11300900 and has been certified at all times hereto.

2. Upon receipt of a flagging notice advising that Respondent was arrested on July 12, 2012 by the Neptune Township Police Department for violation of N.J.S.A. 2C:20-4, Theft by Deception, N.J.S.A. 2C:5-1, Criminal Attempt Theft by Deception, and two (2) counts of N.J.S.A. 2C:21-17, Wrongful Impersonation, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Hackensack, New Jersey, via regular and certified

mail, on or about July 13, 2012. A response was due within twenty (20) days. The regular mailing was not returned; the United States Postal Service reports that the certified mailing was returned to the Board on July 24, 2012.

3. On or about July 18, 2012, the Board sent a second letter of inquiry to Respondent requesting the above information. The letter was sent to Respondent's address of record in Hackensack, New Jersey via certified and regular mail. The regular mailing was not returned; the certified mailing was returned to the Board as "not deliverable as address - unable to forward."

4. To date, Respondent has not provided a response to the Board's requests for information.

#### CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2, -1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

#### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking the suspension of Respondent's license to practice as a certified homemaker-home health aide in the State of New Jersey was entered on February

5, 2013. A copy was forwarded to Respondent's last known address by means of both regular and certified mail. The regular mail was not returned. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

The Board received a response to the Provisional Order of Discipline, by means of a handwritten letter from Respondent on March 25, 2013. Respondent stated in the letter that he did not have any copies of the requested documents; did not provide any information relating to a current employer; and admitted that he used a client's identity because his bills were overdue, and he was apologetic. Respondent, as a certificate holder, is responsible for ensuring that all Board inquiries are answered completely, and in a timely manner.

The Board was persuaded that the submitted materials merited further consideration, as Respondent admitted his wrongdoing and was apologetic and no further proceedings are

necessary and the Provisional Order is made final with modifications.

ACCORDINGLY, IT IS on this 25<sup>th</sup> day of July, 2014,

ORDERED that:

1. Respondent shall remit payment of a monetary penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$200.00 by certified check or money order payable to the State of New Jersey, delivered to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after notice of the entry of this Final Order is served in this matter, including any Order which is finalized by default. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy, PhD, APN  
Patricia Murphy, PhD, APN  
President